IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETN. NO.348 OF 2005

Mohd.Shahrukh Mukhtar Ahmed Hadi ... Petitioner

versus

Mr. P.K. Bhoi and others ... Respondents

...

Mr.Khan Abdul Wahab, for the Petitioners.

Mr.A.S. Gadkari, A.P.P., for the Respondent State.

...

CORAM : A.M.KHANWILKAR,J.

15th April 2005

P.C.:

. The Petitioner has rushed to this Court against the show cause notice issued by the Nirmal Nagar Police Station in proposed Chapter Proposal No.9/2005, C.C.No.9/2005, issued on 20th January 2005 by the Respondent No.1. The argument that the proposed action is not available against the Petitioner can be canvassed

before the competent authority. In the circumstances, this petition deserves to be disposed of with liberty to the Petitioner to pursue his remedy before the competent authority leaving all questions open.

. Counsel for the Petitioner, however, submits that the authority has insisted that the Petitioner should first execute bond before the inquiry is proceeded further. This apprehension is misplaced. The question of executing bond arises only after final order was to be passed by the competent authority against the Petitioner. Presently, the matter is only at show cause notice stage.

. Accordingly, this petition is disposed of with liberty as aforesaid. The Petitioner to file explanation to the show cause notice, if any, within two weeks from today and on such response being filed, the competent authority will consider the same on its own merits in accordance with law. The procedings be decided expeditiously.

(A.M.KHANWILKAR,J.)